IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

Bail Appl..No. 7393 of 2007()

PETITIONER

STALIN, S/O.BABU, CHAMPAKKAL HOUSE,
PERUMPADAPPU, KOCHI-6.

BY ADV. SRI.K.R.VINOD

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. THE CIRCLE INSPECTOR OF POLICE,
KOCHI CUSBA POLICE STATION,
PALLURUTHI.

3. THE SUB INSPECTOR OF POLICE,
KOCHI CUSBA POLICE STATION,
PALLURUTHI.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7393 of 2007

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Dated this the 3rd day of December, 2007

O R D E R

Application for anticipatory bail. The petitioner has come to this Court with an apprehension that he may be arrested on the allegation that he has committed non-bailable offences. The learned Prosecutor, after taking instructions, submits that the petitioner is not required to be arrested in connection with any specific crime, but the petitioner is required to be arrested for detention as per a valid order passed under the Kerala Anti-Social Activities (Prevention) Act, 2007.

2. The learned Prosecutor, in these circumstances, submits that the arrest is not on the specific ground that the petitioner has committed any non-bailable offence, but the warrant of arrest is issued because he is required to be detained under the provisions of the above Act. The petitioner cannot seek anticipatory bail, in these circumstances. The petitioner can, of course, challenge the

said order of detention in accordance with law under the relevant provisions of the Act. He can surrender before the appropriate authority under the provisions of the Kerala Anti-Social Activities (Prevention) Act.

3. With the above observations, this application is dismissed.

(R. BASANT)
Judge

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